



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Jose Cardona, Jr., *et al.*, Field Representative Housing, Housing Assistance Program (S0046C), Statewide

Examination Appeals

CSC Docket Nos. 2021-1634, *et al.*

ISSUED: JULY 2, 2021 (SLK)

Jose Cardona, Jr., Thaddeus Dalton, Charlene Harris, Nicole Jones, Lashique McDuffie, Jocelyn McNeil, and Lourdes Ramirez appeal the determinations of the Division of Agency Services (Agency Services) that they did not meet the experience requirements for the open competitive examination for Field Representative Housing, Housing Assistance Program (S0046C), Statewide. The appeals have been consolidated due to common issues presented.

The subject examination's closing date was February 22, 2021. The education requirement was a Bachelor's degree. The experience requirements were one year of experience in a housing assistance program or other housing related program which includes client intake review requiring participant eligibility determinations and/or field duties requiring facility eligibility determinations. Applicants who did not possess the required education could substitute additional experience as indicated on a year-for-year basis, with 30 semester hour credits being equal to one year of experience. A total of 101 candidates applied and 25 were admitted. The test is scheduled to be administered on June 30, 2021.

On his application, Cardona indicated that he had 60 college credits. He also indicated that he works for the Department of Community Affairs (DCA) and was a Customer Service In-Bound 2 Representative from October 2020 to the February 22, 2021 closing date, a Storekeeper 2 from June 2019 to October 2020, a Principal Library Assistant from October 2011 to June 2019, a Youth Mentor for Family

Transition Support Services from September 2001 to January 2018, a Family Support Specialist for Advance Opportunity from April 2015 to September 2018, a Principal Industrial Assistance for Talking Book and Braille from July 2001 to October 2011, a Shipping and Receiving Specialist for Airtex, Inc., from February 1999 to July 2001, a Purchasing Clerk for Certified Steel Company from September 1997 to January 1999, an Assistant Warehouse Manager for Market Source from March 1995 to September 1997, and a Front End Manager/Bookkeeper for Pathmark from August 1995 to September 1996.¹ Agency Services credited Cardona with two years of experience based on his 60 college credits and five months of experience based on his service as a Customer Service In-Bound 2 Representative for a total of two years and five months of experience, but determined that he lacked two years and seven months of experience.

On his application, Dalton indicated that he possessed a Bachelor's degree. He also indicated that he was a Field Staff Technician for Optimize Manpower Agency Assignment from September 2020 to the February 22, 2021 closing date, a part-time Real Estate Assistant for Remax First Realty NJ from May 2019 to the February 2021 closing date, an Account Executive for Simplifeye from August 2019 to September 2020, an Account Executive for Conductor from February 2019 to August 2019, and a Business Development Representative for Conductor from October 2017 to February 2019. Agency Services credited him for having met the education requirement and for having six months of experience based on his service as a Field Staff Technician, but determined that he lacked six months of experience.

On her application, Harris did not indicate that she possessed any college credits. She also indicated that she was a Technical Assistant 1 from August 2018 to the February 22, 2021 closing date. Personnel records indicate that she was a Technical Assistant 1 from August 2019 to the February 22, 2021 closing date. Agency Services credited her with two years and seven months of experience based on her stated experience as a Technical Assistant 1 on her application, but determined that she lacked two years and five months of experience.

On her application, Jones indicated that she possessed 18 college credits. She also indicated that she was a Field Staff Technician for Acro Corporation from August 2018 to the February 22, 2021 closing date, a Senior Customer Service Associate for Prudential Financial Services from April 2009 to February 2018, an Administrative Billing Clerk for Clean Venture, Inc. from November 2008 to March 2009, and a Clinical Data Specialist for Patel Consultants from October 2008 to

¹ Personnel records do not indicate that Cardona is currently employed by DCA as a Customer Service In-Bound 2 Representative as indicated on his application, and, therefore, it is presumed that this employment is through a third-party. Further, personnel records indicate that he was a Storekeeper 2 from June 2019 to the February 22, 2021 closing date. The records also indicate that he was a Principal Industrial Assistant from June 2003 to June 2019 and a Senior Industrial Assistant from July 2001 to June 2003.

November 2008. Agency Services credited Jones with seven months of experience based on her 18 college credits and two years and seven months of experience based on her experience as a Field Staff Technician for a total of three years and two months of experience, but determined that she lacked one year and 10 months of experience.

On her application, McDuffie did not indicate any college credits. She indicated that she was a Document Processor/Inspections Coordinator for Optimize Manpower from October 2018 to the February 22, 2021 closing date, an Administrative Assistant for Tucker and Company from November 2000 to November 2010, an Intermittent Clerk from November 2002 to June 2006. Personnel records also indicate that McDuffie was an Institutional/Building Support Services IFPTE from August 2007 to the February 22, 2021 closing date. Agency Services credited her with two years and five months of experience based on her service as a Document Processor/Inspections Coordinator, but determined that she lacked two years and seven months of experience.

On her application, McNeil indicated that she had 23 college credits. She also indicated that she was a Document Processor for SHC from September 2020 to the February 22, 2021 closing date, and a Mental Health Worker for St. Francis Homes from June 2012 to the February 22, 2021 closing date. Agency Services credited McNeil with nine months of experience based on her 23 college credits, but determined that she lacked four years and three months of experience.

On her application, Ramirez did not indicate any college credits. She indicated that she was a Technical Assistant 1 from September 2019 to the February 22, 2021 closing date, a Communications Assistant for New Jersey Housing and Mortgage Finance Agency (NJHMFA), SHC from May 2017 to August 2019, a Call Center Team Lead for Xerox/NJ Family Care from October 2013 to May 2017, a Health Benefits Coordinator for Xerox/NJ Family from May 2010 to October 2013, and a Customer Service Representative for Educational Testing Service from August 2006 to May 2010. Agency Services credited Ramirez with three years and 10 months of experience based on her experience as a Technical Assistant 1 and Communications Assistant, but determined that she lacked one year and two months of experience.

On appeal, Cardona states that he has over 20 years of experience analyzing applications for disabled and low-income individuals. Additionally, he presents that he inspected their dwellings and ensured their homes/facilities complied with program rules and regulations. Cardona indicates that since he started working for the DCA, he has worked with management to release and process over \$300,000,000 in housing subsidy funds to residents who have been impacted by COVID-19 by processing applications, verifying income eligibility, and collecting documents. He states that as a Youth Case Manager and Family Support Specialist, he has over 20

years of experience in taking applications from youths and their families, providing information, connecting them with other resources, and visiting homes/facilities and assessed their living conditions to determine if they were eligible for the program.

Dalton presents that for the last eight months he has been a Field Staff Representative for SHC and he describes how he performs the required duties in this position. Additionally, he states that as a Real Estate Assistant, he compiles legal documents for clients, coordinates open houses and showings for prospective buyers, conducts research, and creates reports on the local housing market. Further, as an Account Executive and Account Manager in the technology industry, he negotiated contracts and closed deals, maintained relations with national agencies and corporations. Although he acknowledges that his Account Executive and Account Manager experience is not in a housing related program, he asserts that this experience provided him critical training in public relations and customer service. Dalton submits a letter from the SHC Program Manager who indicates that he was hired due to his experience in the real estate and administrative field and that although he was hired as a temporary employee, he has been assigned the duties of the subject title.

Harris asserts that she possesses the required experience. She explains that she has an excellent rapport with various government agencies which allows her to complete multiple consumer accounts in a timely fashion. Harris indicates that she has been working for DCA in the SHC division for approximately one year and six months. She highlights her prior experience with NJHMFA and attaches her resume.

Jones acknowledges that she did not possess the required education by the closing date. However, she indicates that she will have 30 college credits by the conclusion of her semester in May 2021 and, therefore, she believes she will have met the education requirement at that point. Jones highlights that she has been a Field Staff Technician for DCA since August 2018, which gives her three years of experience.

McDuffie indicates that she has been a temporary employee with DCA, SHC since October 2018 and asserts that she helps people with their housing needs making sure their recertification and moving needs are met. McDuffie presents that she ensures that the provider sends all documents and that the tenants' addresses are correct in the system and that the tenants understand the rules and regulations. She states that she knows the computer system concerning making changes to the tenant's income and she explains how SCH helps tenants with their rent and what is required of the tenants to be in the program. She also ensures that letters are sent to tenants, landlords and social workers. Further, she is an SHC Inspections Coordinator who teaches inspectors how to use their iPad. McDuffie indicates that she sends over 60 emails a day to serve thousands of

tenants and she states that she is proficient with the computer system used by incumbents in the subject title. She argues that this experience should substitute for the education requirement. McDuffie also highlights that she previously was employed by the Division of Revenue from November 2002 to June 2006 as an intermittent clerk. In that position, McDuffie presents that she answered phone calls, opened mail, and prepped documents to be scanned. She notes that since the former Department of Personnel wanted to go paperless, the Division of Revenue took on the responsibility of scanning documents in a project that was scheduled to last six months; however, the department completed it within three months. She notes that she timely scanned 85 batches a day.

McNeil argues that her six years of experience should be considered a substitute for the education requirement. She presents that she has worked for SHC for eight months and she has received positive feedback from her supervisors. Further, McNeil presents her six years of experience with St. Francis Homes where she worked with clients and guardians to gather information, explain housing benefits and program requirements, inspect units, communicate with landlords, and deal with maintenance for general repairs. She asserts that DCA hired her due to her past housing assistance work.

Ramirez emphasizes that she has been working for SHC since 2017, first at NJMHFA and now at DCA. She states that for over seven years, she has been working in State programs determining client eligibility, assisting consumer and social service agencies with State program rules, regulations and procedures. Also, Ramirez indicates that she has extensive knowledge of local rent control ordinances and procedures and facilitating services to consumers and social service agencies. She also assists with leasing units, negotiating leases and contracts.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)2 provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

N.J.A.C. 4A:4-6.3(b) provides, in pertinent part, that the appellant shall have the burden of proof in examination appeals.

Concerning Cardona, he states that his Youth Case Manager and Family Support Specialist is applicable experience. However, a review of his application, resume and appeal does not indicate that these were housing programs where his primary responsibility was to determine eligibility for housing a program. Instead, he worked with youths, families, and disabled individuals regarding a whole range of issues. Therefore, Agency Services correctly determined that he lacked two years and seven months of experience. In order for experience to be considered applicable, it must have as its primary focus full-time responsibilities in the areas required in

the announcement. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004).

Regarding Dalton, he argues how his experience in the real estate and technology fields support his eligibility and he submits a letter indicating that he was hired by the SHC due to this experience. However, his experience as a Real Estate Assistant, where he assisted in the process of completing real estate transactions, is not experience in a housing program where he primarily determined eligibility for that program. Similarly, his Account Executive and Account Manager experience is not applicable. Therefore, Agency Services correctly determined that he lacked six months of experience by the closing date.

As to Harris, she presents her current experience for DCA in the SHC department as well as her prior experience with NJMHFA. However, a review of the Online Application System (OAS) only indicates that she presented her current experience with DCA starting in August 2018² on her application and she did not attach a resume. Under *N.J.A.C. 4A:4-2.1(g)*, the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. However, *N.J.A.C. 4A:4-2.1(f)* provides that an application may only be amended prior to the announced closing date. For example, information submitted on appeal pertaining to duties in a given position that expands or enlarges information previously submitted is considered clarifying and is accepted. Any documentation indicating work in a setting that was not previously listed on an application or resume cannot be considered after the closing date. Thus, the Commission can only consider information provided on appeal regarding the positions listed on the appellant's original application. *See In the Matter of Diana Begley* (MSB, decided November 17, 2004). Therefore, even if her prior experience with NJMFHA/SHC was applicable experience, it cannot be considered since it was not included on her application.

Concerning Jones, she acknowledges that she did not meet the education requirement as of the closing date as she had 18 credits at that time. However, she presents that she now has 30 college credits, and she believes that she now has the required education. Initially, it is noted that even if Jones did possess the required education after the closing date, this would not be relevant as candidates need to possess all the requirements by the closing date. *See N.J.A.C. 4A:4-2.3(b)2*. Further, the subject examination required a Bachelor's degree and 30 college credits is not a Bachelor's degree. Therefore, per the substitution clause for education,

² On Harris' application, she indicated that this experience started in August 2018 and Agency Service credited her for this experience based on that start date. However, personnel records indicate that this experience started in August 2019. Therefore, she should have been credited with one year and seven months of experience and been determined to have lacked three years and five months of experience.

Agency Services correctly determined that she lacked one year and 10 months of experience.

Regarding McDuffie, she argues that in addition to her experience with DCA/SHC, where she was credited, her experience with the Division of Revenue should substitute for the education requirement. However, her experience as an Intermittent Clerk with the Division of Revenue did not involve making eligibility determinations for a housing program and, therefore, is not applicable experience for the subject examination and cannot substitute for the education requirement. Accordingly, Agency Services correctly determined that she lacked two years and seven months of experience.

As to McNeil, Agency Services did not credit her for her six months of experience as a Document Processor for SHC as she did not clearly articulate that she was performing the required duties in this position. On appeal, she does not clarify her duties in this position. Instead, she describes how she performed housing assistance duties for St. Francis Homes. However, a review of St. Francis Homes' website does not indicate that it is primarily an organization that determines eligibility for a housing program. Moreover, her application indicates that she was a Mental Health Worker who assisted with daily living such as transportation to appointments, shopping, medications, and other aspects. Therefore, even if she was performing some of the required duties in this position as she asserts on appeal, this was not her primary focus and therefore, this experience is inapplicable. *See Vlashi, supra*. As such, Agency Services correctly determined that she lacked four years and three months of experience.

Concerning Ramirez, she presents that for over seven years, she has been working in State programs determining client eligibility, assisting consumer and social service agencies with State program rules, regulations and procedures and she did get credit for her three years and 10 months of experience as a Technical Assistant 1 and Communications Assistant by the closing date. However, a review of her prior experience with Xerox/NJ Family concerned determining eligibility for Medicaid and not for a housing program as required for the subject announcement. Accordingly, Agency Services correctly determined that she lacked one year and two months of applicable experience by the closing date.

ORDER

Therefore, it is ordered that these appeals be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE

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CIVIL SERVICE COMMISSION ON
THE 30TH DAY OF JUNE, 2021

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